

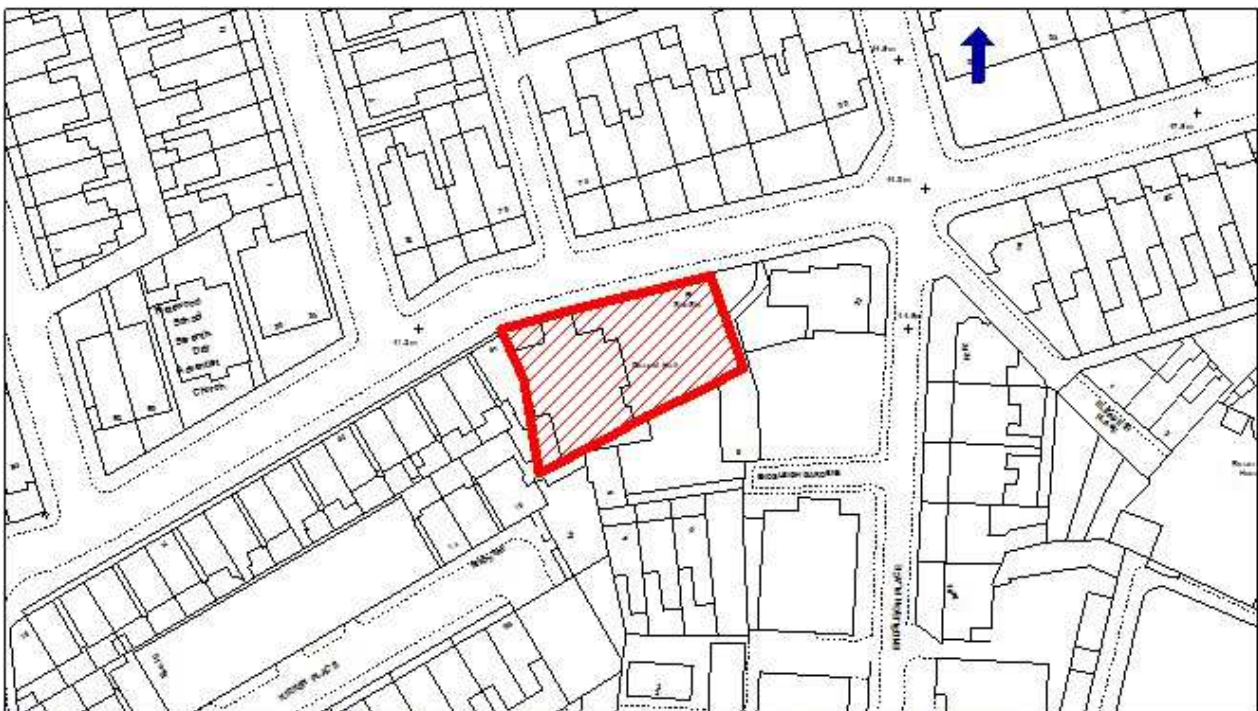
PLANNING APPLICATION REPORT



Application Number	15/02337/FUL	Item	02
Date Valid	17/12/2015	Ward	Drake

Site Address	47 NORTH ROAD EAST PLYMOUTH		
Proposal	New development containing 37 student bedspaces (demolition of existing building)		
Applicant	GE Developments Ltd		
Application Type	Full Application		
Target Date	17/03/2016	Committee Date	Planning Committee: 10 March 2016
Decision Category	Major - more than 5 Letters of Representation received		
Case Officer	Christopher King		
Recommendation	Grant Conditionally		

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1. Description of site

Known as 'Reservoir Court', the site in question was originally constructed as a reservoir fed by a small branch of the historic Plymouth Leat, which is shown on the 1856 (1:500) map which notes it as being "Reservoir (for supplying the Victualing Yard)" and on the 1892 (1:500) map it is marked as "Admiralty Reservoir". The application site is located on the southern side of North Road East, on the northern fringe of the City Centre and University Area Action Plan.

The site currently provides a small, low quality single storey building with associated parking for an insurance company (A2 Use Class). The site has a Plymouth limestone wall running along all boundaries meaning the site is almost entirely obscured from the street view by the old reservoir wall. The site is relatively level, with no specific amenity value to the area. The adjacent and surrounding buildings are residential and University buildings, demonstrating a mix of 2, 3 and 4 storey contemporary, early 20th century and Victorian buildings. North Road East contains some grade 2 listed buildings, although none are directly adjacent or opposite the application site

2. Proposal description

This application proposed the demolition of the existing office building (Use Class A2) to provide a new development containing 37 student bed spaces. The three and four storey building proposes thirty seven bed spaces, including twenty four (24) self-contained studio flats, two (2) self-contained 1 bed flats, and two (2) cluster flats containing eleven (11) ensuite rooms.

The ground floor of the building includes:-

- One Cluster Flat with 5 bedrooms and 37m² of communal space
- One Studio Flat
- 85m² of Communal Space
- Secure under-croft parking area for five cars (one disabled space) and two motorcycles, and includes the bin store and access to the plant room.
- 125m² outdoor amenity space, including a purpose built smoking shelter and cycle store for 39 bikes

The First Floor of the building includes:-

- One Cluster Flat with 6 bedrooms and 37m² of communal space
- Seven Studio Flats
- Two 1 Bed Flats

The Second Floor of the building includes:-

- Ten Studio Flats

The Third Floor of the building includes:-

- Six Studio Flats

The 1 bed flats are 30.3m² and the studio flats range between 21.5m² and 31.6m² in size and all of these flats have private bathrooms, kitchen facilities and laundry facilities. The eleven cluster rooms range between 18m² and 22m² in size, and their kitchen/laundry facilities are in the communal rooms.

3. Pre-application enquiry

Following refusal of planning permission for application 15/01251/FUL, a post refusal meeting was held, whereby officer's discussed the decision of the committee, and provided advice to potentially make the scheme more acceptable. Officers were given the opportunity to review and make comment on the amended plans prior to submission. The plans that have been subsequently submitted are generally consistent with what was reviewed by officers.

Pre-application advice was provided for the previously refused application, which had reviewed design and layout proposals, and established officer support of the principle of development on this site.

4. Relevant planning history

APP/N1160/W/15/3138482 – Appeal to the Planning Inspectorate of refusal planning application 15/01251/FUL – Decision Pending

15/01251/FUL - Demolition of existing building and replace with student accommodation (39 apartments) – Refused

5. Consultation responses

Economic Development Department – No Objections, as site does not require specific protection, and there is a good range of local employment options.

Environment Agency – Does not object in principle; stating that the application should be determined in line with Lead Local Flood Authority advice. Also requests evidence of SWW acceptance.

Historic Environment Officer – No Objections with conditions relating to materials and archaeology

Lead Local Flood Authority - No objections, however has requested the submission of additional information which will be conditioned should planning permission be granted.

Local Highways Authority – No Objections

Low Carbon Team – No Objections with conditions recommended

Natural Infrastructure Team– No Objections with conditions recommended

Plymouth University – No Comments Received

Police Architectural Liaison – No Objections

Public Protection Service – No Objections with conditions

Urban Design Officer – No Objections with conditions relating to materials

6. Representations

Prior to the submission of the planning application, the applicant held a public consultation event to discuss the revised proposal with local residents. This event was held between 4pm and 8pm on Wednesday 9th December 2015, at 24 Queen Anne Terrace, North Hill. The event was attended by the applicant, members of the applicants design team, and 7 members of the public. In addition to

this, the applicant has discussed the proposals with Ward Cllrs, Trevi House and the Suzanne Sparrow Plymouth Language School.

A total of twenty (20) letters of representation have been received, of which nineteen (19) object to the planning application, and one (1) provides observations/comments. The principle issues highlighted in the 19 letters of objection are summarised as follows:-

Planning Issues:-

- Design of front elevation, including materials palette is not good enough with little enhancement made to the revised plans. Still largely the same plan as the previous application that was refused
- There are highways issues associated with the buildings, such as refuse collection, parking and congestion along North Road East and the surrounding area
- Building is overbearing, blocking out sunlight into basement flats on opposite site of North road East; and a loss of privacy meaning residents opposite will have to keep curtains closed meaning it will significantly impact the quality of life of local residents
- The building is not a positive addition to the street scene, or the area's identity and heritage, is out of keeping for the area, is too high, and too big, resulting in an over concentration of dwellings in one location
- Management of the property requires specific consideration, and should be all year round, not just term time
- The city is already overpopulated with students, and there is much student accommodation being proposed which outstrips demand. There is also no justified need for more student accommodation
- Loss of much needed employment site close to the city centre and the proposal will not provide jobs as stated in the submitted documents, and the proposal would still adversely impact the neighbourhood and community cohesion
- Developers have not grasped that this is an unwanted proposal as students are careless about the local environment, and the proposal will cause an increase in anti-social behaviour, including noise, litter and damage to public and private property
- Poor standard of accommodation for future residents, and no space set aside for storage of cleaning materials, office space and res/refreshments area
- Why is this being treated different to HMOs which are being refused in the local area
- Some houses of the same size already in the street would be a better fit
- The proposal is unsustainable
- Contravention of council visions, aims and stated policies
- Possible historic feature on the site
- Design faults and anomalies with the plans
- Windows are too small
- Where are builders going to park during the construction phase

Non-Planning Issues:

- The council should classify all student resident as businesses and charge rates/tax to assist with policing/clean up as a result of the students
- The proposal is not university land is not owned by the university
- Right to light issues
- No different to military accommodation, however students do not remain disciplined outside of controlled environments
- Only one staircase shown internally, and with external fire escape

Members will recall that Trevi House raised objections on the previous application, however in this instance; they have submitted a letter of representation which has provided balanced comments on the proposal. The letter is summarised as follows:-

- Has addressed the overlooking into Trevi House
- The scale and massing of the proposal is still of concern.
- Trevi House is surrounded by taller buildings other than on its northern elevation so the step back of the 2nd and 3rd floors is good for Trevi House
- Developer has engaged well with Trevi House since the refusal of the previous planning application
- The Developer offered to work with Trevi House to include superior sound insulation and design to reduce impact on Trevi Houses sensitive operations and noise throughout the construction period
- The planning authority should ensure that the design and layout of the external communal areas is such that noise impact on Trevi can be ameliorated to acceptable levels. Site management needs to be all year round
- The developer/applicant has offered to work closely with Trevi House throughout its construction period to help dovetail construction operations to have least impact on Trevi Houses most sensitive periods of operation which is welcomed
- Whilst the changes in design of this application would have a relatively reduced impact on Trevi House operations and its ongoing employment, the Council needs to consider the wider economic impact of removing a designated employment site from the City Centre

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007). In the case of this application, it also comprises the City Centre & University Area Action Plan

The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following a consultation process. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at a relatively early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given).

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- Specific policies in the Framework indicate development should be restricted.

Additionally, the following planning documents are also material considerations in the determination of the application:

- *Sustainable Design Supplementary Planning Document*
- *Development Guidelines Supplementary Planning Document*
- *Planning Obligations & Affordable Housing 2nd Review Supplementary Planning Document*

8. Analysis

1. This application has been considered in the context of the development plan, the draft Plymouth Plan, the Framework and other material policy documents as set out in Section 7.
2. This application turns on the following policies of the Local Development Framework Core Strategy:-
CS01 (Sustainable Linked Communities), CS02 (Design), CS03 (Historic Environment), CS04 (Future Employment provision), CS05 (Development of Existing Sites), CS18 (Plymouths Greenspace), CS19 (Wildlife), CS20 (Sustainable Resource Use), CS21 (Flood Risk), CS22 (Pollution), CS32 (Designing out Crime), CS33 (Planning Obligations) and CS34 (Planning Application Considerations).
3. The proposal will also be considered against the following policies contained within the Emerging Plymouth plan Part One:-
Policy 12 (Delivering strong and safe communities and good quality neighbourhoods), Policy 15 (Meeting local housing needs), Policy 18 (Delivering sufficient land for new jobs), Policy 20 (Delivering sufficient land for new homes to meet Plymouth's housing need), Policy 28 (Promoting Plymouth's heritage), Policy 29 (Place shaping and the quality of the built environment) and Policy 30 (Safeguarding environmental quality, function and amenity).
4. In addition, this application also turns on the following proposals of the City Centre and University Area Action Plan:-
CC04 – A Sustainable City Centre Neighbourhood
CC05 - Combined Heat and Power, District Heating and Cooling
CC16 – University of Plymouth Campus

5. The principal issues relating to this application are considered to be impact towards neighbouring residential amenity, design and character of the building, and impact towards local employment and employment land.

5 year housing supply

6. When determining applications for residential development it is important to give consideration to housing supply. (Note: this does include student accommodation developments that result in additional dwellings to the dwelling stock i.e. cluster flats)
7. Paragraph 47 of the NPPF stipulates that “to boost significantly the supply of housing, local planning authorities should...identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”
8. Paragraph 49 of the NPPF states that “housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”
9. For the reasons set out in the Authority’s Annual Monitoring Report (January 2015) Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2015-20 against the housing requirement set out in the Core Strategy which was set prior to the economic downturn. Plymouth can however identify a net supply of some 5,599 dwellings which equates to a supply of 3.1 years when set against the housing requirement as determined by the requirements of the NPPF or 2.5 years supply when a 20% buffer is also applied.
10. The NPPF (footnote 11) also specifies that to be considered deliverable, a site must be:
 - Available to develop now
 - Suitable for residential development in terms of its location and sustainability; and
 - Achievable, with a reasonable prospect that homes will be delivered on the site within five years and in particular that the development of the site is viable.
11. Paragraph 14 of the NPPF states “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.
12. For decision-taking this means:
 - approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out-of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted”

13. As Plymouth cannot demonstrate a 5 year supply when set against the housing requirement as determined by the requirements of the NPPF, the city's housing supply policy should not be considered up-to-date. Paragraph 14 of the NPPF is therefore engaged and substantial weight must be accorded to the need for housing in the planning balance when determining housing applications.

Previous Planning Application

14. Planning application 15/01251/FUL was for 39 purpose built student flats which was refused by planning committee for the following three reasons:-

- Design – The committee considered that the design of the north elevation did not contribute positively to the area's identity and heritage in terms of scale and density layout. In particular the design of the proposed building is harmful to the adjacent Victorian terraces and 5-6 Endsleigh Garden
- Detrimental to community cohesion and local employment opportunities – The committee considered that the proposal would adversely impact the neighbourhood within which the site is located, and would negatively impact the range of employment opportunities available for local people. Whilst the loss of the employment land was a concern to members, the primary concerns of the committee related to Trevi Houses operational viability. There were significant concerns that the proposal would result in Trevi House having to re-locate, and with it, the loss of numerous local jobs.
- Loss of amenity and privacy - The committee concluded that the proposal would result in a demonstrable loss of residential amenity to 5-6 Endsleigh Gardens (south of the application site) in terms of visual impact, scale and loss of privacy caused by overlooking.

15. The application hereby submitted has attempted to address the three refusal reasons through significant alterations to both the front and rear elevations, which officers have reviewed and provided advice.

Principle of Development and Policy Background

16. The Council's planning policy framework in the form of the adopted Core Strategy, AAPs and emerging Plymouth Plan supports the provision of purpose built student accommodation, as outlined below.

17. At the strategic level policy CS15 of the Core Strategy identifies that 17,250 new homes are required to be built in the city by 2021, and these are required to meet the current and future needs of the population including students.

18. The application site is located within the CCI6 allocation of the City Centre and University AAP which supports mixed use development and identifies that the area will evolve into a high quality mixed use campus with areas of student accommodation. Therefore this development would be supported in principle through the AAP subject to the development being of sufficient quality.

19. The AAP identifies that the focus of the activity within the campus will be ensuring that all first year students have the offer of purpose built accommodation and this proposal will help support this objective.

20. The Emerging Plymouth Plan continues to welcome and support the Universities within the City and the student population. Policy I identifies that it is important to that every student feels welcome and have access to quality accommodation near their place of study. Policy 15 supports purpose built student accommodation in the form of cluster flats and studio developments where these are in locations close to the education establishment, support wider regeneration objectives, are acceptable in terms of impact on their existing residential areas, and which provide decent accommodation with support facilities.
21. This site is located within the University Campus as defined in proposal CC16 of the City Centre and University AAP and therefore is a very suitable location, and was not contested when the previous planning application was being considered. As identified in the City Centre and University AAP this area is a focus for regeneration and the City Centre and University is identified within the Draft Plymouth Plan as a Strategic Growth Area.
22. Through the implementation of planning permissions for purpose built student accommodation there will inevitably be less pressure placed on the existing housing stock within the City. This is likely to reduce the demand for student HMOs within communities. If these developments were not supported through planning policy then there would be a greater impact on the existing housing stock as the need generated from the student population would be met through existing houses.
23. The Local Planning Authority does have Council Tax data which demonstrates that there has been a reduction of the number of dwellings occupied by student's year on year, since purpose built accommodation has been delivered, and will be looking to publish this data in the summer of 2016 as part of a housing topic paper.
24. Paragraph 2.8.46 of the Development Guidelines SPD adds that the Council will support purpose built student accommodation as long as it is well designed, provides a decent of standard of accommodation and is suitably located to minimise any negative impacts on residential amenity.
25. In lieu of the above points, officers consider that the principle of the proposal is acceptable at this site, and as suggested in paragraph 10.2 of the Core Strategy will help achieve the goals of the Core Strategy by promoting 'a wide choice of housing types, to meet the needs of all members of the community'.
26. The University indicated in its consultation response for the previously refused application would help to meet some of the unmet demand for student accommodation in the City, and the massing of the scheme seems in keeping and the layout, size and density of the rooms appear to be suitable for contemporary requirements.
27. Notwithstanding the comments made in paragraphs 16-25, the committee did not raise direct concerns over the principle of student accommodation, and as such, officers consider that the principle of student accommodation on this site is acceptable.

Loss of Employment Land

28. The proposal would result in the loss of 322sqm of A2 office space and there is no provision within the proposed development for any future employment space other than ancillary employment associated with the building's ongoing management (cleaners/manager for example). The site is relatively undeveloped and the Economic Development Department has advised previously that the building is not of a high enough quality to continue to operate

long term, and note that redevelopment of the site at current market rates would have viability challenges.

29. The applicant has stated that the existing tenant of the site will be relocating to smaller premises within an established business park in Plymouth as they only employ eight staff, and the size of the current office exceeds their needs. Economic Development Department's consultation response considered a viable employment, and the application has not been accompanied by extensive evidence to suggest it would be difficult to re-let.
30. Notwithstanding this however, Economic Development Department do not consider that the site requires special protection and should the local planning authority consider there are clear environmental, regeneration and sustainable community benefits to this proposal then it does not object to the loss of employment on this site.
31. As the development site is in close proximity to North Hill, and the train station, which has significant vacant office space, officers consider that the application site is located in close proximity to adequate, and underused office space. In addition, Economic Development Department currently considers that the neighbourhood has a good range of local employment opportunities, which is qualified in the Mutley and Greenbank Sustainable Neighbourhood Assessment. The loss of this employment land in this location is therefore not considered contrary to policies CS04 or CS05 of the Core Strategy by officers.
32. Officers and the Economic Development Department recognise that the application site sits within Proposal CCI6 of the City Centre and University which identifies the land as being within the University Campus. The AAP does not seek to retain this land specifically for employment purposes, and there is an emphasis on providing university led development which should be supported as part of the aims of the AAP when considered appropriate by officers.
33. Although viable, officers consider that the sites employment use retention is not necessary to meet the area's current or longer term economic development needs. The proposal will support the University, which is one of the largest employers in the city; and in officers view, the proposal will not be demonstrably harm the vibrant employment hub of North Hill as noted in the AAP. On balance officers consider that the proposal will help support the development of Plymouths learning infrastructure in accordance with policy CS04 (7); as well as policy CS05 with specific regard to criteria 2 and 5.

Design

34. The application proposes a 3 and 4 storey building that does not try to replicate existing building styles in the area; however it reflects local design features such as the protruding bays, rear tenement and material palate.
35. Members will be aware that the previous planning application was refused on design grounds, for not contributing positively to the area's identity and heritage in terms of scale and density layout. The Council's Urban Design and Historic Environment officers have reviewed the proposed building in its context, and consider that the proposal is respectful of the adjacent buildings in the area, and will not have an impact on the listed terraces within North Road East. The retention of the majority of the important reservoir wall is also welcomed, as is the re-cycling of the stone in the plinth of the building.

36. Officers consider that the height of the building is acceptable, being slightly lower than the adjacent Victorian properties, and that the step in the western part of the building means that it does not dominate the terrace to the west, or the terrace to the north. Furthermore, the stepping back of the 2nd and 3rd floors, which reduces its massing, significantly reduces the impact the building will have to the properties directly south in officers view. With the 6m southern site boundary wall remaining in-situ, the building will have a lesser impact, causing no demonstrable loss of outlook.
37. Officers have considered the alterations the applicant has made to the design of the building, specifically massing and materials. A dark, reflective cladding on the top floor/attic will reduce the apparent massing/height of the building, and there appears to be a greater symmetry in the front elevation which is achieved through material changes. The proposed render will need to be of high quality so that it does not discolour quickly, and the plinth will utilise natural stone to reflect the area. The materials have been conditioned to ensure high quality materials are used in the construction of this building should planning permission be granted. Furthermore, it should be noted that the 8 jobs are not being lost, just displaced within the city.
38. The LPA recognises the efforts of the applicant to address the refusal reasons, and it is the view of officers that the external appearance of the building does now accord with policy CS02 and CS34 of the Core Strategy, and will not demonstrably harm the character or appearance of the adjacent properties or the street scene.

Internal Layout

39. The significant alterations to the massing of the proposal when compared to the previously refused application have resulted in alterations to the internal layout and configuration of the accommodation. There is a reduction in bed spaces from 39 to 37; however the most significant change is the introduction of cluster flats which were not proposed in the last application.
40. The Council's Development Guidelines SPD does not specify internal space standards of student accommodation unlike for open market accommodation; therefore officers must consider whether the size of proposed rooms and flats for students are acceptable.
41. Having reviewed similarly approved schemes within Plymouth, officers are satisfied that a good standard of private amenity is being provided for the prospective occupiers, and therefore accords with policy CS15 (5).
42. In addition, the application proposes 157m² of communal space for the students, which equates to 75% more than the previously refused application.
43. Members will be aware that that previous planning application on this site was not refused on space standards or layout, and although there have been alterations to the proposal in this regard, officers consider the application remains in accordance with policies CS15 and CS34 of the Core Strategy. Future occupiers will be afforded a good standard of accommodation that is comparative with other student developments approved in the city, with good facilities and amenity features.

Neighbouring Residential Amenity

44. The previous planning application which was refused on this site was designed without any detailed consultation with Trevi House, a specialist facility caring for vulnerable women and children located directly south of the site occupying 5-6 Endsleigh Gardens.
45. The committee concluded that there would have been a demonstrable and harmful loss of amenity for the clients at Endsleigh Gardens as direct result of significant overlooking, and as such planning permission was refused.
46. The revised plans that have been submitted for consideration as part of this application acknowledges that Endsleigh Gardens provide residential accommodation with greater consideration given to the amenity issues. Significant alterations to the rear elevations of the building have been proposed which in officers view now removes all overlooking, and any perceived overlooking.
47. The ground and first floor elevations have south facing windows, however they are below the height of the existing boundary wall, and as such do not allow a line of site to into Trevi House buildings or courtyard area. The second and third floor is now set back quite significantly; with high level obscure glazed corridor windows, and bedroom windows that face east and west removing overlooking into Trevi House. It is worth noting that insertion of these East and West facing windows will cause overlooking to adjacent sites. Officers are satisfied that the proposed roof lights in the pitched roof will not cause any overlooking either and will provide additional light into first floor flats.
48. As members will be aware, there were concerns raised by residents regarding loss of amenity and privacy into dwellings on the opposite side of North Road East and further consider have been raised with the current application.
49. There will be student flats on all levels that have windows that face north, however it is the view of officers that the construction of this building in this location will be a continuation the established building line along North Road East, and will create a normal street relationship. North Road East, located in a built up urban area, has for much of its length, dwellings of differing heights facing one another. Officers therefore consider that the proposal is acceptable in this area of the city, and is not a reasonable reason for refusal.
50. Some other residents have expressed concern with regards to loss of light into basement flats caused by the height of the proposed building. Officers have visited basement flats in properties along North Road East where there is already a significant reduction in natural light entering the flats; however this was not raised as a reason for refusal when the previous application was considered by the planning committee.
51. Comments surrounding right to light have been noted, however this is not a planning consideration, and is subject to separate legislation.
52. Anti-social behaviour is a concern in any part of the city, and officers recognise that developments such as this, adjacent to the university can lead to fear and anxiety amongst residents. To address this issue, officers have attached appropriate planning conditions requiring the submission of a bespoke student accommodation management plan. The applicant will be required to submit a detailed, bespoke plan that will ensure a well-managed and maintained building. The plan will need to incorporate noise prevention, refuse collection, parking, emergency contacts, and tenancy contracts will need to be detailed, and submitted for approval.

53. A Pre-Commencement Method of Construction condition has been attached to ensure suitable details are submitted to, and approved by the LPA to protect the amenity of neighbouring dwellings and the area during the construction phase. This should include how construction traffic will be managed, and how overlooking into Trevi house is prevented when contractors are working on the higher elements of the proposed buildings

Employment and Social Cohesion

54. Numerous letters of representations have been submitted to the LPA suggesting that the increase of student residences in this area is unsustainable, and will have a negative impact on existing areas, contrary to policy CS01 of the Core Strategy.
55. The Economic Development Department no longer object to the loss of employment land and they have also stated that the neighbourhood has a good range of local employment opportunities which is qualified in the Mutley and Greenbank Sustainable Neighbourhood Assessment. Officers therefore consider that proposal will not have a detrimental impact towards local businesses, and will not cause harm to the vitality of the area.
56. One of the key issues raised during the committee meeting for the previous application was the impact that overlooking would have on 5-6 Endsleigh Gardens, and was the principle reason for the refusal reason. It was suggested that the overlooking, and loss of privacy and amenity would significantly jeopardise the viability of Trevi House, which occupies these dwellings, resulting in a loss of a range of employment types.
57. The revised application has now removed all overlooking into Trevi house, and has taken other measures to safeguard amenity for the occupiers of these dwellings. As noted in the letter or representation from Trevi House, the applicant has engaged with them to work proactively to reduce and mitigate the impact.
58. Officers are mindful of the location of the site which falls within proposal CCI6 of the adopted City Centre and University AAP that identifies the university campus area. As such, it is the view of officers that subject to the details of the proposal being acceptable, the proposed use accords with the strategic aim of the AAP and the Emerging Plymouth Plan Part One which supports 'purpose built student accommodation in the form of cluster flats and studio developments where these are in locations close to the education establishment, support wider regeneration objectives, are acceptable in terms of their impact on existing residential areas, and which provide decent accommodation with support facilities and appropriate provisions for on-going management of the development'
59. When considering the planning balance, it is important to consider the wider perspective and aims of the council, and it is the view of officers that purpose built student accommodation on land identified within the university campus will take the pressure off less sustainable sites, with a greater distance from the university.
60. It is the view of officers therefore that proposal will not have a demonstrable loss towards local employment opportunities as the established businesses will not suffer from the proposed development. In turn, this will not demonstrably harm social cohesion, and the additional mitigation measures that are proposed will further protect existing residents from noise and anti-social behaviour which is the main concern amongst residents.

Local Highways and Parking

61. Some of the Letters of Representation from local residents have raised concerns with regards to traffic generation and parking demands associated with the proposed development.
62. The proposal provides a small amount of car parking to serve the site, primarily to enable pick up and drop off of students and for persons servicing the site (cleaners/maintenance contractors) with a very similar layout to the previous application. However having reconsidered the layout of the parking area which was previously reconfigured to retain 5 spaces and a relocated refuse storage area, it is recognised that the vehicle parked in the disabled space would have some difficulty exiting the car park without reversing out onto North Road East and it is therefore considered necessary to alter the layout of the space slightly to enable all vehicles to enter and leave the site in a forward gear, and will be dealt with by way of condition.
63. The access to the site will be via an existing dropped crossing into the site which will be widened. Cycle parking will be provided at the rear and its provision will be conditioned. Gates will be provided to control vehicular entry to the site but these will be set back to allow vehicles to wait off the carriageway while waiting for gates to open. The 5 parking spaces will mean that the amount of traffic accessing the site will be low. Officers consider this will not demonstrably harm or prejudice the highway, and low vehicular activity will protect residential amenity.
64. Based on the above, the Local Highway Authority does not object to the proposal although planning conditions are recommended. A Travel Plan condition is also recommended to control the use of the parking areas to ensure they are not used as long stay parking spaces but instead used to service the flats, but also to ensure that arrivals at the accommodation at the start of term are spread throughout the day as is commonly done at University Accommodation around the country. The building will be excluded from the issue of parking permits within the residents parking zone in accordance with current policies. An informative will be added explaining this.
65. Concerns have been raised with regards to construction traffic generation and access, therefore such details are reserved by way of condition which will need to be agreed before construction commences.
66. A local highways or strategic transport contribution for the city was not requested due to the sustainable location of the city, and the low pressures that future residents will place on public transport and road network.
67. Officers consider that the proposal accords with policies CS28 and CS34 (8) of the Core Strategy, as well as the Development Guidelines SPD guidance on parking and cycle provision

Natural Infrastructure and Landscaping

68. The application site has low ecological value, being almost entirely covered in hard surface with very little identifiable biodiversity.
69. The application has an accompanying Environmental Mitigation and Enhancement Strategy (EMES) which has been accepted by officers; however further information with regards to soft landscaping proposals (species and numbers etc.), and its implementation will be required. A Landscape Management Plan is required and will be dealt with by way of condition.

70. Officer considers that the proposal accords with policy CS19, specifically criteria 5 as the proposal will ensure biodiversity net gain within the application site.

Sustainable Resources

71. Officers have reviewed the submitted Energy Statement, prepared by Energy Compliance Ltd and the proposed approach is considered acceptable. For consistency it is worth noting that the departure from policy CC05 (in part) has been justified by the fact that the development is on the edge of the City Centre AAP area, and the applicants are also proposing to comply with the future proofing requirements of this policy. The proposal is therefore considered to accord with policy CS20 of the Core Strategy, and Proposal CC05 of the City Centre and University AAP; however appropriate conditions have been attached to guarantee compliance.

Drainage and Flood Risk

72. The site at present is entirely hard surfaced and this proposal will reduce the amount of hard surfacing with the addition of landscaping and new permeable surfaces. In addition, an underground attenuation tank is proposed, which will reduce the rate at which water enters the combined system.
73. South West Water (SWW) have indicated that there is no prospect of utilising a SuDs system or accessing a dedicated surface water sewer therefore an attenuated discharge to the public combined sewer will be permitted as proposed. SWW do however require separate foul and surface water drains to be laid on site/up to the point of connection to the public sewer to allow the opportunity of fully separating flows at some future date.
74. The Lead Local Flood Authority has requested that the discharge rate be agreed with SWW, and if planning permission is granted, a detailed design will be required to ensure that it accords with policy CS21 of the Core Strategy. These details will be conditioned.

Historic Environment

75. This site is not within a Conservation Area, but there are two terraces of Grade II listed buildings in relatively close proximity to the site: 15-39 North Road East (odds) and 34-40 North Road East (evens), although given their distance from the site, the impact on them will be relatively minimal.
76. There are concerns over the height, however having discussed this with the urban design officers, the use of specific materials on the attic of the building will reduce the apparent height and bulk. It will be important that all the materials are of a high quality, and that the historic stone wall is retained as much as possible, and the stone removed from the front wall is reused where possible. These details will be conditioned, and in addition, Historic Environment Officers suggest an archaeology condition in case anything of historic interest is identified during construction.

9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

10. Local Finance Considerations

The provisional Community Infrastructure Levy liability (CIL) for this development is £79,505.36 (index-linking applied, but subject to change before final liability confirmed).

A breakdown of the final calculation will be shown in the liability notice once planning permission first permits the development (including all pre-commencement conditions details being agreed). The liable party(s) will be given the opportunity to apply for social housing relief or ask for a review of the calculation at that stage. There is no negotiation of CIL. The Levy is subject to change and will be index-linked. The applicant should check the current rates at the time planning permission first permits development (which includes agreement of details for any pre-commencement conditions) see www.plymouth.gov.uk/cil for guidance.

Further evidence of the nature and timings of the use may be required as part of the CIL liability process.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Obligations have been requested by council officers with respect to Natural Infrastructure projects. These were raised during the pre-app process, and have been agreed in principle:-

- £9,057 for Local Greenspace, for the provision and maintenance of greenspace and access improvements at Victoria Park
- £16,430 for Playing Pitches for the provision and maintenance of baseball facilities at Central Park

The Management fee is £1334 and has been calculated using the Local Planning Authority Planning Fees Policy

12. Equalities and Diversities

This proposal has considered that there is a wide range of prospective students that university will look to find accommodation for by providing two accessible units for persons with disabilities, located on the ground floor of the building.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and specifically the Local Development Framework and the City Centre and University AAP and is therefore recommended for conditional approval subject to the completion of a S106 agreement.

14. Recommendation

In respect of the application dated **17/12/2015** and the submitted drawings 914-407 Proposed Section AA; 4_406_Typical Room Sizes; 914_405_3D Street Scenes; 4_404A_3D Street Scenes; 914_403A_Proposed Elevations; 914_402D_Proposed Floor Layouts; 914_401A_Proposed Site Plan: 914_303 Existing Sections: 914_302 Existing Elevations: 914_301 Existing Site Layout: Site Location Plan: Design and Access Statement; Energy Statement prepared by Energy Compliance Ltd 17/12/2015; Phase I Environmental Desktop Report prepared by JGP dated 03/08/2015: Preliminary Ecological Appraisal prepared by green ecology dated June 2015; Ecological Mitigation & Enhancement Strategy prepared by green ecology dated June 2015, it is recommended to: **Grant Conditionally**

15. Conditions

CONDITION: DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

(1) The development hereby permitted shall be begun before the expiration of two years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 914-407 Proposed Section AA; 4_406_Typical Room Sizes; 914_405_3D Street Scenes; 4_404A_3D Street Scenes; 914_403A_Proposed Elevations; 914_402D_Proposed Floor Layouts; 914_401A_Proposed Site Plan: 914_303 Existing Sections: 914_302 Existing Elevations: 914_301 Existing Site Layout: Site Location Plan: Design and Access Statement; Energy Statement prepared by Energy Compliance Ltd 17/12/2015; Phase I Environmental Desktop Report prepared by JGP dated 03/08/2015: Preliminary Ecological Appraisal prepared by green ecology dated June 2015; Ecological Mitigation & Enhancement Strategy prepared by green ecology dated June 2015

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66 of the National Planning Policy Framework 2012.

Pre-commencement Conditions

PRE-COMMENCEMENT: EXTERNAL MATERIALS

(3) No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

Justification: To ensure that the development can reasonably accommodate the external materials that are acceptable to the local planning authority.

PRE-COMMENCEMENT: PROVISION OF DRAINAGE WORKS

(4) No development shall take place until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Details shall include details of an attenuated flow rates agreed with SWW and full details of attenuation tank including a schedule of maintenance

Reason:

To ensure that satisfactory infrastructure works are provided in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012

Justification: To ensure the drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure.

PRE-COMMENCEMENT: CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

(5) No development shall take place until a construction environment management plan incorporating method statements to demonstrate how the new drainage system and water environment is protected during the construction phase has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before construction commences

Reason:

To enable consideration to be given to any effects of the drainage regime on the environment and landscape features in accordance with Policy CS20 and CS34 of the Plymouth Local Development

Framework Core Strategy (2006-2021) 2007, and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012.

Justification: To demonstrate that the water environment is not subjected to any adverse effects as a result of the construction process

PRE-COMMENCEMENT: LANDSCAPE DESIGN PROPOSALS

(6) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant; planting plans including the location of all proposed plants their species, numbers, densities, type (i.e. bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection].

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

Justification: To ensure the landscaping can be properly incorporated within the development proposals

PRE-COMMENCEMENT CONDITION: DISTRICT HEATING FUTURE PROOFING

(7) Unless otherwise agreed previously in writing with the Local Planning Authority, prior to any development taking place, the applicant shall provide to the Local Planning Authority a report for approval identifying how the development has been designed to be compatible with and allow future connection to a local district heating network in line with current best practice.

Reason:

To ensure that the in accordance with Policy CC05 of the City Centre Area Action Plan, the draft Plymouth Plan Policy 25 and relevant Central Government guidance contained within the NPPF.

Justification: To ensure the proposal can adequately incorporate future district heating technology

PRE-COMMENCEMENT: ACCESS (CONTRACTORS)

(8) Before any other works are commenced, an adequate road access for contractors with a proper standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to the adjacent highway in a position and a manner to be agreed with the Local Planning Authority.

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

Justification: To ensure that the development can ensure the safety of road users and pedestrians can be maintained during construction

PRE-COMMENCEMENT CONDITION: METHOD OF CONSTRUCTION

(9) No development shall take place until a bespoke method of construction has been submitted to and approved in writing by the Local Planning Authority, in consultation with Trevi House. The details should include contractor working hours, pollution control methods, and screening proposals to protect the residents of 5-6 Endsleigh Gardens (Trevi House).

Reason:

In the interests of neighbours' amenities and to preserve privacy during the construction phase in accordance with policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraph 17 of the National Planning Policy Framework 2012

Justification: To ensure that residents of Trevi House, occupying 5-6 Endsleigh Gardens are adequately protected, specifically privacy and amenity during the construction phase

PRE-COMMENCEMENT: ARCHAEOLOGY

(10) No construction shall be commenced until the applicant (or their agent or successors in title) has made provision for a programme of archaeological work. This is to include an archaeological watching brief on all below ground works, aimed at providing information of the location and nature and extent of any surviving remains.

All of the above to be agreed in accordance with a written scheme of investigation (which shall previously have been submitted to and approved in writing by the Local Planning Authority). The development shall be carried out in strict accordance with the approved scheme, or such other details as may be agreed in writing by the Local Planning Authority

Reason:

The site is considered likely to contain archaeological deposits that warrant appropriate investigation and/or recording in accordance with Policy CS03 of the Plymouth Local Development Framework

Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification: To ensure that important archaeological features are properly protected / recorded before construction commences.

PRE-COMMENCEMENT: CONTAMINATED LAND

(11) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation shall not take place until sections 1 to 3 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section 4 of this condition has been complied with in relation to that contamination.

Section 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - adjoining land
 - groundwaters and surface waters
 - ecological systems
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Section 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Section 3. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in the replaced PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Section 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with section 3.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 – 123 of the National Planning Policy Framework 2012.

Justification: To ensure that risks to health through contamination are properly considered and addressed before building works commence.

Pre-occupation Conditions

PRE-OCCUPATION: CYCLE PROVISION

(12) The building shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 37 bicycles to be securely parked in a secure and covered location. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRE-OCCUPATION: LANDSCAPE MANAGEMENT PLAN

(13) A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

PRE-OCCUPATION: STUDENT ACCOMODATION MANAGEMENT PLAN

(14) Before the building is first occupied, a management plan for the operation of the accommodation hereby approved, particularly in relation to noise and anti-social behaviour. The plan shall include contact details (including postal address, email address and telephone number) of the person to be contacted regarding any issues arising from the use of the building or its curtilage and shall include a commitment to keep this information up to date, shall be submitted to the Local Planning Authority. The management plan shall thereafter be adhered to strictly at all times.

Reason:

In the interests of neighbours' amenities and to provide a ready point of contact for any person who needs to address an issue in relation to the use of the property, in accordance with policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Plymouth's adopted Development Guidelines Supplementary Planning Document 2010.

PRE-OCCUPATION: TRAVEL PLAN

(15) The building hereby permitted shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The said Travel Plan shall seek to encourage staff and all site users to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the Travel Plan; and the name, position and contact telephone number of the person responsible for its implementation. From the date of [the commencement of the use][occupation] the occupier shall operate the approved Travel Plan.

Reason:

The Local Planning Authority considers that such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local

Development Framework Core Strategy (2006-2021) 2007. The applicant should contact Plymouth Transport and Infrastructure for site-specific advice prior to preparing the Travel Plan.

PRE-OCCUPATION: CAR PARKING PROVISION

(16) The building shall not be occupied until the agreed car parking area has been drained and surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRE-OCCUPATION: MAXIMUM CAR PARKING PROVISION

(17) The building shall not be occupied until space has been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority for a maximum of 5No cars to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear.

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Other Conditions

CONDITION: NOISE

(18) The noise emanating from any plant (LAeqT) should not exceed the background noise level (LA90) at anytime as measured at the façade of the nearest adjacent residential properties.

Reason:

To protect the amenity of future residents and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CONDITION: BIODIVERSITY

(19) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy (Green Ecology, July 2015) for the site.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in the NPPF paragraphs 109, 118.

CONDITION: SOFT LANDSCAPE WORKS

(20) Soft landscape works shall include planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turning, mulching and plant protection.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

CONDITION: STUDENT ACCOMODATION

(21) The occupation of the accommodation hereby approved shall be limited to students in full-time education only.

Reason:

The accommodation is considered to be suitable for students in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012, but its occupation by any other persons would need to be the subject of a further planning application for consideration on its merits.

CONDITION: STONE

(22) The stone removed from the front wall as part of the approved plans shall be retained and neatly stored onsite until construction begins. The retained stone shall be used in the construction of the building hereby approved unless otherwise agreed in writing by the local planning authority.

Reason:

To ensure that the materials used are in keeping with the appearance and character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

CONDITION: RENEWABLE ENERGY

(23) The development shall be completed in accordance with the submitted Energy Statement prepared by Energy Compliance Ltd. This proposes the use of Solar Photovoltaic Cells as the preferred method of incorporating onsite renewable energy production. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

Unless otherwise agreed previously in writing with the Local Planning Authority, prior to any development taking place, the applicant shall provide to the Local Planning Authority details of the locations of the on-site renewable energy production methods (in this case Photovoltaic Cells) for approval. The on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to offset at least 15% of predicted carbon emissions for the development in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, the draft Plymouth Plan Policy 25 and relevant Central Government guidance contained within the NPPF.

CONDITION: PRESERVATION OF SIGHT LINES

(24) No structure, erection or other obstruction exceeding 600mm in height shall be placed, and no vegetation shall be allowed to grow above that height, within the approved sight lines to the site access at any time.

Reason:

To preserve adequate visibility for drivers of vehicles at the road junction in the interests of public safety in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

CONDITION: BEDROOMS

(25) No more than 37 rooms at the property shall be used as bedrooms. Only the rooms labelled "bedroom" on the approved plans shall be used as bedrooms, unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

The number of bedrooms proposed in the application is considered to be the maximum that can reasonably be accommodated at the site. The proposed layout, together with the use of the remaining rooms for communal facilities, has been assessed and considered acceptable in planning terms and any other arrangement would need to be assessed on its merits. This condition is in accordance with policy CS15 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012.

Informatives

INFORMATIVE: (CIL LIABLE) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

(1) The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once "planning permission first permits development" as defined by the CIL Regulations. You must ensure that you submit any relevant forms and get any pre-commencement details agreed before commencing work. Failure to do so may result in surcharges or enforcement action.

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

(2) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

INFORMATIVE: KERB LOWERING

(3) Before the access[es] hereby approved are first brought into use it will be necessary to secure dropped kerbs [and footway crossings] with the consent of the Local Highway Authority. The applicant should contact Plymouth Transport and Highways for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority.

INFORMATIVE: RESIDENT PARKING PERMIT SCHEME

(4) The applicant should be made aware that the property lies within a resident parking permit scheme which is currently over-subscribed. As such the development will be excluded from obtaining permits and purchasing visitor tickets for use within the scheme.

INFORMATIVE: STUDENT ACCOMODATION MANAGEMENT PLAN

(5) With regard to the management plan, it is recommended that there is an appropriate selection process for tenants and that an appropriate anti-social behaviour clause is included in the tenancy agreement so that any anti-social behaviour or noise nuisance created by the tenants can be adequately addressed. Please note that should a noise nuisance be created at the property, then action may be taken in line with statutory nuisance provisions under the Environmental Protection Act 1990.

INFORMATIVE: NOISE IMPACT

(6) The applicant should carry out a noise impact assessment prior to construction to identify if the plant room is likely to cause an impact on neighbouring residents. This will help assess if any further mitigation is required in the design and construction of the development, to ensure that the above condition is 17 of the approval can be met.

INFORMATIVE: CODE OF PRACTICE

(7) During development of the scheme approved by this planning permission, the developer should comply with the relevant sections of the Public Protection Service, Code of Practice for Construction and Demolition Sites, with particular regards to the hours of working. A copy of the Public Protection Service, Code of Practice for Construction and Demolition Sites is available from:

http://www.plymouth.gov.uk/construction_code_of_practice.pdf